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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 BREANN MARIE MOLDA,

13 Plaintiff,

14 vs.

15 MARTIN O'MALLEY,
16 Commissioner of Social Security,¹

17 Defendant.

)
) Case No.: 2:23-cv-01529-NJK

) **ORDER GRANTING**
) **STIPULATION TO VOLUNTARY REMAND**
) **PURSUANT TO SENTENCE FOUR OF 42**
) **U.S.C. § 405(g) AND TO ENTRY OF**
) **JUDGMENT**

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25 ¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to
26 Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo
Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of
the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys,
2 and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary
3 remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to
4 offer Plaintiff a new decision.

5 On remand, the Commissioner will further develop the record as necessary, offer the claimant the
6 opportunity for a new hearing and issue a new decision. The parties further request that the Clerk of the
7 Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final
8 decision of the Commissioner.

9 Respectfully submitted,

10 DATE: March 11, 2024

11 By: /s/ John James Moran
12 John James Moran
13 Law Offices of Charles E. Binder and Harry J. Binder, LLP
14 (*as authorized by email)

15 JASON M. FRIERSON
16 United States Attorney

17 By: /s/ Oscar Gonzalez de Llano
18 Oscar Gonzalez de Llano
19 Special Assistant United States Attorney

20 **IT IS ORDERED:**

21 The parties' stipulation is granted. All pending motions are denied as moot. The Clerk's
22 Office is instructed to close this case.

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25 DATED: March 11, 2024

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Hon. Nancy J. Koppe
UNITED STATES MAGISTRATE JUDGE